

09/876,813.

C of C

PATENT APPLICATION
File No: 99-19D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of : Teresa Gilbert, Charles E. Hart, Paul O. Sheppard
U.S. Patent No. : 6,962,802
Issued : November 8, 2005
For : GROWTH FACTOR HOMOLOG ZVEGF4

CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence, comprising:

1. Request for Certificate of Correction (1 page; in duplicate)
2. Form PTO/SB/44 (1 page)
3. Copy of Request to Correct Inventorship dated June 11, 2004 (1 page)
4. Copy of Office Action dated November 24, 2004 (5 pages)
5. Return Postcard

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on March 8, 2006.

Linda Povinelli

Certificate
MAR 14 2006
of Correction



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,962,802
Issued : November 8, 2005
Serial No. : 09/876,813
Filed : June 6, 2001
Inventors : Teresa Gilbert, Charles E. Hart, Paul O. Sheppard
For : GROWTH FACTOR HOMOLOG ZVEGF4

Docket No. : 99-19D1

Date : March 8, 2006

Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request for Certificate of Correction

Sir:

Please accept the enclosed Certificate of Correction. The corrected error is a printing error. No fee is believed to be due.

Applicants provide herewith the following documents for the information of the Office:

- (1) a copy of the Request to Correct Inventorship filed on June 11, 2004, requesting the deletion of Debra G. Gilbertson as an inventor in this application; and
- (2) a copy of the Office Action dated November 24, 2004, in which the Inventorship change is acknowledged by the Examiner (page 2).

The Commissioner is hereby authorized to charge any fee associated with this communication to ZymoGenetics, Inc. Deposit Account No. 26-0290. A duplicate of this sheet is enclosed.

Respectfully submitted,

Gary E. Parker
Registration No. 31,648



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,962,802
Issued : November 8, 2005
Serial No. : 09/876,813
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Inventors : Teresa Gilbert, Charles E. Hart, Paul O. Sheppard
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Respectfully submitted,

Gary E. Parker
Registration No. 31,648

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,962,802
APPLICATION NO. : 09/876,813
ISSUE DATE : November 8, 2005
INVENTOR(S) : Teresa Gilbert, Charles E. Hart, Paul O. Sheppard

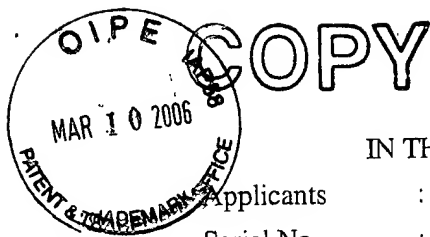
It is certified that error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page, column 1, at (75), cancel inventor "Debra G. Gilbertson, Seattle, WA (US)".

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Gary E. Parker
ZymoGenetics, Inc.
1201 Eastlake Avenue East
Seattle, WA 98102

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Teresa Gilbert et al.
Serial No. : 09/876,813
Filed : June 6, 2001
For : GROWTH FACTOR HOMOLOG ZVEGF4
Examiner : Chernyshev, O.
Art Unit : 1646
Docket No. : 99-19D1
Date : June 11, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request to Correct Inventorship

Sir:

Please delete Debra G. Gilbertson as an inventor in the above-identified application. The correct inventors were named in the application as filed. This correction is necessitated by cancellation of claims so that fewer than all of the currently named inventors are the actual inventors of the invention now being claimed.

Please charge the fee under 37 C.F.R. 1.17(i), estimated to be \$130.00, to ZymoGenetics, Inc. Deposit Account No. 26-0290. A duplicate of this sheet is enclosed.

Respectfully Submitted,

Gary E. Parker
Registration No. 31,648



COPY

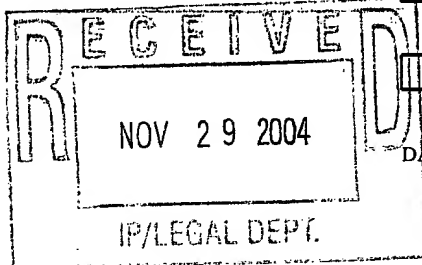
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/876,813	06/06/2001	Teresa Gilbert	99-19D1	9714

Gary E. Parker
ZymoGenetics, Inc.
Patent Department
1201 Eastlake Avenue East
Seattle, WA 98102

7590 11/24/2004



EXAMINER	
CHERNYSHEV, OLGA N	
ART UNIT	PAPER NUMBER

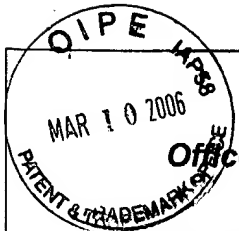
1646

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**DOCKETED
RESPONSE DUE**

1-24-05



Office Action Summary

Application No.

09/876,813

Applicant(s)

GILBERT ET AL.

Examiner

Olga N. Chernyshev

Art Unit

1646

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2004.
- 2a) ☐ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-38, 42 and 56-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32-38, 42 and 56-60 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/3/4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Inventorship

1. In view of the papers filed June 14, 2004, the inventorship in this nonprovisional application has been changed by the deletion of Debra G. Gilbertson.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of Office records to reflect the inventorship as corrected.

Conclusion

This application is in condition for allowance except for the following formal matters:

2. It is noted that the instant specification remains not in compliance with sequence rules for those reasons of record in section 2 of Paper mailed on April 14, 2004. Briefly, Sequence listing submitted on June 06, 2001 identifies 53 sequences in the instant application, while the printout of the CRF entered on August 06, 2003 lists 57 sequences. Therefore, it appears that the content of the sequence listing paper copy is not identical to the content of the computer readable form. Clarification is required.
3. Claims 32-38, 42 and 56-60 are allowed.
4. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Art Unit: 1646

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga N. Chernyshev whose telephone number is (571) 272-0870. The examiner can normally be reached on 8:00 AM to 5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brenda G. Brumback can be reached on (571) 272-0961. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Certain papers related to this application may be submitted to Technology Center 1600 by facsimile transmission. Papers should be faxed to Technology Center 1600 via the PTO Fax center located in Crystal Mall 1 (CM1). The faxing of such papers must conform with the notices published in the Official Gazette, 1156 OG 61 (November 16, 1993) and 1157 OG 94 (December 28, 1993) (see 37 C.F.R. § 1.6(d)). NOTE: If Applicant *does* submit a paper by fax, the original signed copy should be retained by Applicant or Applicant's representative. NO DUPLICATE COPIES SHOULD BE SUBMITTED so as to avoid the processing of duplicate papers.

Official papers filed by fax should be directed to (703) 872-9306. If this number is out of service, please call the Group receptionist for an alternative number. Faxed draft or informal communications with the examiner should be directed to (571) 273-0870. Official papers should NOT be faxed to (571) 273-0870.

Art Unit: 1646

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Olga N. Chernyshev, Ph.D.
Primary Examiner
Art Unit 1646

November 23, 2004